



#4

Atty. Docket No. 00-721-US

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **ADENOSINE CYCLIC KETALS: NOVEL ADENOSINE ANALOGUES FOR CARDIOVASCULAR PHARMACOTHERAPY**, the specification of which

**Regular Application**

is attached hereto.

was filed on April 6, 2001 as Application Serial No. 09/828,276 and was amended on \_\_\_\_\_ (if applicable).

**PCT Application Entering National Phase**

was filed on [Date] as PCT International Application No. [App. No.] and was amended on [Date of Amendment] (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| <b>Prior Foreign Application(s)</b> |           |                        | <b>Priority Claimed</b>                                  |
|-------------------------------------|-----------|------------------------|--|
| (Number)                            | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|                                     |           |                        |  |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

| (Application Number) | (Filing Date) |  |
|----------------------|---------------|--|
|                      |               |  |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| (Application Serial No.) | (Filing Date) | (Status-patented, pending, abandoned) |
|--------------------------|---------------|---------------------------------------|
|                          |               |                                       |

PG715-0816422.01-JGDL-MR  
Aug 24, 2001 12:47 PM

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Frederick H. Colen, Reg. No. 28,061; W. Scott Railton, Reg. No. 23,039; Gene A. Tabachnick, Reg. No. 33,801; Maria N. Bernier, Reg. No. 37,433; Barry J. Coyne Reg. No. 43,566; Kirsten R. Rydstrum, Reg. No. 38,603; Paul D. Bangor, Jr., Reg. No. 34,768; Robert D. Kuckler, Reg. No. 45,908; Charles H. Dougherty, Jr., Reg. No. 42,494; Louis A. DePaul, Reg. No. 28,407; Cheryl L. Gostineau, Reg. No. 39,469; Ian K. Samways, Reg. No. 36,664; Louis M. Heidelberger, Reg. No. 27,899; John W. Goldschmidt, Jr., Reg. No. 34,828; William J. McNichol, Jr., Reg. No. 31,179; R. Anthony Diehl, Reg. No. 38,432; Maryellen Feehery, Reg. No. 44,677; Carl H. Pierce, Reg. No. 45,730; Nanda P.B.A. Kumar, Reg. No. 44,853; Thomas J. McWilliams, Reg. No. 44,930; Tara L. Rachinsky, Reg. No. 47,875; Matthew J. Easerman, Reg. No. 41,536; Jonathan M. Darcy, Reg. No. 44,054; Marc J. Farrell, Reg. No. 37,826; Stanley P. Fisher, Reg. No. 24,344; Juan Carlos A. Marquez, Reg. No. 34,072; Gerald Kiel, Reg. No. 25,116; Eugene Le Donne, Reg. No. 35,930; Jules Goldberg, Reg. No. 24,408; Lloyd Mc Anlay, Reg. No. 20,423; Harold Nixon, Reg. No. 17,283; Arthur Dremer, Reg. No. 24,403; Stephen Chin, Reg. No. 39,938; Samir Patel, Reg. No. 44,998 and Mary E. Buckles, Reg. No. 31,907.

Address all telephone calls to Frederick H. Colen, Esq. at telephone number (412) 288-4164.

Address all correspondence to:

Frederick H. Colen  
REED SMITH LLP  
P.O. Box 488  
Pittsburgh, PA 15230

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature

 \_\_\_\_\_

Date: 8/30/01

Full name of sole or first inventor

Garth S. Jones

Residence

Pittsburgh, PA

Citizenship

US

Post Office Address

5248 Beeler Street  
Pittsburgh, PA 15217

Inventor's Signature

\_\_\_\_\_

Date: \_\_\_\_\_

Full name of second inventor

Edwin K. Jackson

Residence

Pittsburgh, PA

Citizenship

US

Post Office Address

5244 Beeler Street  
Pittsburgh, PA 15217

Inventor's Signature

\_\_\_\_\_

Date: \_\_\_\_\_

Full name of third inventor

\_\_\_\_\_

Residence

\_\_\_\_\_

Citizenship

\_\_\_\_\_

Post Office Address

\_\_\_\_\_

Reed Smith LLP  
P.O. Box 488  
Pittsburgh, PA 15230  
(412) 288-3131



Atty. Docket No. 00-721-US

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**Regular Application** is attached hereto. was filed on April 6, 2001 as Application Serial No. 09/828,276 and was amended on \_\_\_\_\_ (if applicable).**PCT Application Entering National Phase** was filed on [Date] as PCT International Application No. (App. No.) and was amended on [Date of Amendment] (if applicable).

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| (Application Number) | (Filing Date) |
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REED SMITH LLP  
P.O. Box 488  
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Inventor's Signature

Full name of sole or first inventor

Residence

Citizenship

Post Office Address

\_\_\_\_\_  
Garth S. Jones  
Pittsburgh, PA  
US  
5248 Beeler Street  
Pittsburgh, PA 15217

Date: \_\_\_\_\_

Inventor's Signature

Full name of second inventor

Residence

Citizenship

Post Office Address

\_\_\_\_\_  
*J. Eskin S. Jackson*  
Edwin K. Jackson  
Pittsburgh, PA  
US  
5244 Beeler Street  
Pittsburgh, PA 15217

Date: 07/28/01

Inventor's Signature

Full name of third inventor

Residence

Citizenship

Post Office Address

\_\_\_\_\_

Date: \_\_\_\_\_

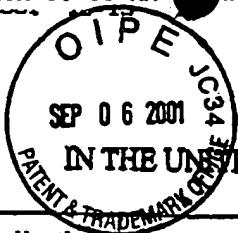
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JUL-30-2001 MON 11:30 AM TECHNOLOGY MANAGEMENT

FAX NO. 412 648 8525

P. 02/09



SEP 06 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JONES et al.

Serial No.: 09/828,276

Filed: April 6, 2001

Atty. Docket No.: 00-721-US

**ADENOSINE CYCLIC KETALS:  
NOVEL ADENOSINE ANALOGUES  
FOR CARDIOVASCULAR  
PHARMACOTHERAPY**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: University of Pittsburgh

ADDRESS OF ORGANIZATION: 200 Gardner Steel Conference Center  
Thackeray and O'Hara Streets  
Pittsburgh, PA 15260

- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
- NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE: [State])  
(CITATION OF STATUTE: [Cite])
- WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE: [State])

## (CITATION OF STATUTE: [Cite])

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled **ADENOSINE CYCLIC KETALS: NOVEL ADENOSINE ANALOGUES FOR CARDIOVASCULAR PHARMACOTHERAPY** by inventors Jones and Jackson described in

- the specification filed herewith  
 Application Serial No. 09/828,276, filed April 6, 2001.  
 Patent No. [No.], issued [Date].

I hereby declare that the rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

NAME: Garth S. Jones \_\_\_\_\_

ADDRESS:

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

NAME: Edwin K. Jackson Edwin K. Jackson

ADDRESS: 5244 Beeler Street, Pittsburgh, PA 15217

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

NAME:

ADDRESS:

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Frances J. Connell  
TITLE IN ORGANIZATION: Director, Technology Transfer and Intellectual Property  
ADDRESS OF PERSON SIGNING: Office of Technology Management  
University of Pittsburgh  
200 Gardner Steel Conference Center  
Thackeray and O'Hara Streets  
Pittsburgh, PA 15260

SIGNATURE - Frances J. Connell DATE July 30, 2001